



General Assembly

February Session, 2012

Amendment

LCO No. 5562

HB0515605562HDO

Offered by:

REP. RITTER M., 1st Dist.
REP. GONZALEZ, 3rd Dist.
REP. ROLDAN, 4th Dist.
REP. KIRKLEY-BEY, 5th Dist.

REP. ROBLES, 6th Dist.
REP. MCCRORY, 7th Dist.
SEN. FONFARA, 1st Dist.
SEN. COLEMAN, 2nd Dist.

To: House Bill No. 5156

File No. 14

Cal. No. 58

**"AN ACT REQUIRING A STUDY OF THE WAYS IN WHICH
MUNICIPALITIES MAY PROVIDE PROPERTY TAX RELIEF."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 12-62r of the 2012 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective from passage and applicable to assessment years commencing on*
6 *and after October 1, 2011*):

7 (a) For the purposes of this section:

8 (1) "Apartment property" means a building containing four or more
9 dwelling units used for human habitation, the parcel of land on which
10 such building is situated, and any accessory buildings or other
11 improvements located on such parcel;

12 (2) "Residential property" means (A) a building containing three or
13 fewer dwelling units used for human habitation, the parcel of land on
14 which such building is situated, and any accessory buildings or other
15 improvements located on such parcel, (B) common interest
16 communities, as defined in section 47-202, and (C) condominiums, as
17 defined in section 47-68a, that are used for residential purposes;

18 (3) "Base year" means the assessment year commencing October 1,
19 2010; and

20 (4) "Adjusted tax levy" means the total amount of taxes raised by
21 taxation in a fiscal year by a municipality.

22 [(b) Notwithstanding any provision of the general statutes or any
23 special act, municipal charter or any home rule ordinance, any
24 municipality in which the provisions of section 12-62n were effective
25 for the assessment year commencing October 1, 2010, shall make
26 annual adjustments to the assessment rate charged to apartment and
27 residential property in accordance with the provisions of this section,
28 but in no event shall the assessment rate for any class of property be in
29 excess of seventy per cent.]

30 [(c)] (b) For the assessment year commencing October 1, 2011, and
31 for each assessment year thereafter, in any municipality that adopts the
32 property tax system under this section, [apartment property shall be
33 assessed at a rate of fifty per cent. For assessment years commencing
34 on and after October 1, 2012, the assessor shall determine a rate of
35 assessment for apartment property that will have the effect of phasing
36 in proportionate increases in the rate so that, by the assessment year
37 commencing October 1, 2015, the assessment rate for apartment
38 property shall be seventy per cent] the legislative body of such
39 municipality shall determine the rate of assessment for apartment
40 property, provided such rate of assessment shall not be less than fifty
41 per cent or more than seventy per cent.

42 [(d) In any municipality that adopts the property tax system under
43 this section, for the assessment year commencing October 1, 2011, and

44 only for said assessment year, the assessor shall determine a rate of
45 assessment for residential property that will have the effect of
46 increasing the average property tax for residential property as a result
47 of revaluation by three and one-half per cent over the property tax for
48 such property class in the base year, but in no event shall the
49 assessment rate be less than twenty-three per cent. For assessment
50 years commencing on and after October 1, 2011, the assessor shall then
51 calculate an adjustment to the rate of assessment for residential
52 property in accordance with subsection (e) of this section.]

53 [(e) Not] (c) If the chief elected official of the municipality approves
54 the adoption of the provisions of this subsection, then not later than
55 January thirty-first or the completion of the grand list, whichever is
56 later, the assessor shall annually calculate the difference in the adjusted
57 tax levy by such municipality in the current fiscal year and the prior
58 fiscal year. The assessor shall then adjust the adjusted tax levy for the
59 current fiscal year [in accordance with any change in] by multiplying
60 the adjusted tax levy by the consumer price index for all urban
61 consumers in the northeast region in the preceding fiscal year and
62 subtracting the product from the current year levy. If, after such
63 [adjustment] calculation, (1) the inflation adjusted tax levy in the
64 current fiscal year exceeds the adjusted tax levy in the prior fiscal year
65 by more than one hundred per cent of the rate of inflation, as
66 determined in accordance with such consumer price index, the
67 assessor, in his or her calculation of the assessment ratios for the next
68 grand list, shall increase the rate of assessment for residential
69 properties from the prior grand list year by five [per cent] points; (2)
70 the inflation adjusted tax levy in the current fiscal year exceeds the
71 adjusted tax levy in the prior fiscal year by more than fifty per cent,
72 but not more than one hundred per cent, of such rate of inflation, the
73 assessor shall increase such rate of assessment by three and one-half
74 [per cent] points; (3) the inflation adjusted tax levy in the current fiscal
75 year exceeds the adjusted tax levy in the prior fiscal year by not more
76 than fifty per cent of such rate of inflation, the assessor shall increase
77 such rate of assessment by two and one-half [per cent] points; (4) the

78 inflation adjusted tax levy in the current fiscal year is equal to the
79 adjusted tax levy in the prior fiscal year, or is less than one-half per
80 cent less than the adjusted tax levy in the prior fiscal year, the assessor
81 shall increase such rate of assessment by one and one-half [per cent]
82 points; and (5) the inflation adjusted tax levy in the current fiscal year
83 is less than the adjusted tax levy in the prior fiscal year by at least one-
84 half per cent, the assessor shall make no change in such rate of
85 assessment.

86 [(f)] (d) Not later than June fifteenth in any year in which the
87 [adjusted tax levy in the current fiscal year increases by] legislative
88 body of the municipality adopts a budget for the following fiscal year
89 that establishes a projected increase in the adjusted tax levy of more
90 than [two and six-tenths per cent] three per cent over the adjusted tax
91 levy in the [prior] current fiscal year, [one] three per cent of the total
92 number of electors of such municipality may petition in writing for a
93 referendum on the budget establishing such increase. Any such
94 referendum shall be held not more than ten days after receipt of such
95 petition by the town clerk and shall be conducted in accordance with
96 the provisions of chapter 90. Such budget shall not become effective
97 unless a majority of the electors voting in such referendum vote in
98 favor thereof. Only one referendum may be held, and, if the vote is
99 against the budget, [such municipality shall so adjust the budget as to
100 limit any increase to be equal to or less than two and six-tenths per
101 cent] the budget as adopted in the preceding fiscal year, as adjusted by
102 the amount necessary to meet legally and contractually required
103 increases, as certified by the finance director, shall be deemed to be the
104 budget of such municipality for the ensuing fiscal year, and
105 expenditures shall be made in accordance therewith.

106 (e) Notwithstanding the provisions of section 12-55 regarding the
107 date of publication of the grand list, the assessor or board of assessors
108 in any municipality that adopts the property tax system under this
109 section shall publish the grand list for such municipality for the
110 assessment year commencing October 1, 2011, not later than fifteen
111 days after the effective date of this section. In each case of any increase

112 in valuation of a property above the valuation of such property in the
113 last-preceding grand list, the assessor or board of assessors shall mail a
114 written notice of assessment increase to the last-known address of the
115 owner of the property the valuation of which has increased, as
116 provided in subsection (c) of section 12-55.

117 (f) (1) Except as provided in subdivision (2) of this subsection,
118 notwithstanding the provisions of section 12-112, for the assessment
119 year commencing October 1, 2011, any person claiming to be aggrieved
120 by the actions of the assessor or board of assessors pursuant to this
121 section may proceed as provided in section 12-111, provided (A) such
122 appeal shall be filed, in writing, on or before the twentieth calendar
123 day after the assessor or board of assessors certifies the grand list for
124 such municipality, provided such person may only file one such
125 appeal regarding the claimed aggrievement for the assessment year
126 commencing October 1, 2011, (B) the board of assessment appeals shall
127 notify each aggrieved person who filed a written appeal in the proper
128 form and in a timely manner, not later than September 1, 2012, of the
129 date, time and place of the appeal hearing, and (C) such board shall
130 notify such person not later than September 1, 2012, that such board
131 has elected not to conduct an appeal hearing, in which case the
132 appellant may appeal directly to the Superior Court pursuant to
133 section 12-117a.

134 (2) Notwithstanding the provisions of subdivision (1) of this
135 subsection, any municipality that adopts the property tax system
136 under this section shall follow all provisions of chapter 203 with regard
137 to the claim of any person who, prior to the effective date of this
138 section, brought an appeal to the board of assessment appeals in
139 compliance with the provisions of sections 12-111 and 12-112. Such
140 person shall retain the right to appeal to the Superior Court, as
141 provided in section 12-117a.

142 (g) Not later than January 30, 2013, the Municipal Finance Advisory
143 Commission shall submit a report to the General Assembly in
144 accordance with the provisions of section 11-4a, limited to an

145 examination of such municipality's tax system, including a
146 recommendation as to whether a homestead exemption program may
147 benefit such municipality.

148 (h) If the provisions of this section in effect on the effective date of
149 this act have not been amended by October 1, 2013, the municipality
150 that adopts the property tax system described in this section may
151 utilize such property tax system for any assessment year commencing
152 on and after October 1, 2013."

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage and applicable to assessment years commencing on and after October 1, 2011</i> | 12-62r |